

**HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO. 2346 OF 2005.

Shri Jitendra Rupchand Gupta. ...Applicant.

V/s.

The State of Maharashtra. ...Respondent

Smt. Manisha Yadhav, advocate for applicant.

Shri A.S.Gadkari, APP for respondent.

**CORAM: A.M.KHANWILKAR, J
DATE : APRIL 8, 2005**

P.C. :-

1. Heard the counsel for the parties.

2. As Investigating Agency has already collected material to indicate that the deceased was ill-treated by the family members, as a result of which, she must have committed suicide and the material so collected indicates the complicity of the applicant, this is not fit case for bail, especially because, investigation is at crucial stage.

3. The argument of the applicant that deceased must have committed suicide as she was psychic patient, has been considered by the Lower court and it has been observed that the person by name Sonu who was staying

with this family did not state that the deceased was suffering from any mental ailment. The counsel for the applicant however, relied on the medical papers of Dr. Sanjay Kumavat dated 4/2/2000 to contend that the deceased was undergoing treatment on account of her psychic ailment.

4. The learned APP submits that this has come on record for the first time, which will be investigated and chargesheet will be filed, not later than one week from today. Investigating Officer is present in the Court and assures that the charge sheet will be filed within one week. As investigation is at crucial stage and having regard to the gravity of the offence, application dismissed.

5. It is made clear that after filing of the chargesheet, if the applicant prefers fresh bail application, that will be considered on its own merit, in accordance with the law and uninfluenced by the observations in this order.